



RCE
JUN 23 2006

Rev. 12/09/04

**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Application Number	09/859,701
Filing Date	5/16/2001
First Named Inventor	Benjamin P. Warner
Group Art Unit	1641
Examiner Name	Deborah A. Davis
Attorney Docket Number	S-94,661

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 ii. Other _____
 iii. _____

b. Enclosed

i. <input checked="" type="checkbox"/> Amendment/Reply	;	06/26/2006	HDEMESS1	00000030	122150	09859701
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)						
iii. <input type="checkbox"/> Information Disclosure Statement (IDS)		01	FC:1801		790.00	DA
iv. <input checked="" type="checkbox"/> Other <u>Evidence</u>						

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 b. Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. Applicant is entitled to small entity status

b. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-2150

i. RCE fee required under 37 C.F.R. § 1.17(e) \$ 790.00 [\$790.00 large entity]
 ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$ _____
 iii. Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Samuel L. Borkowsky	Registration No. (Attorney/Agent)	42,346
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Signature	<u>Samuel L. Borkowsky</u>	Date	June 20, 2006
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CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the US Patent and Trademark Office on the date shown below.

Name (Print/Type): Samuel L. Borkowsky	
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Signature: <u>Samuel L. Borkowsky</u>	Date: June 20, 2006
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